

THE ARIZONA REPUBLICAN

AN INDEPENDENT PROGRESSIVE JOURNAL

TWENTY-THIRD YEAR

14 PAGES

PHOENIX, ARIZONA, SATURDAY MORNING, JANUARY 4, 1913.

14 PAGES

VOL. XXIII, NO. 223

OVER MILLION AMOUNT OF BAIL OF DYNAMITERS

Basis of Ten Thousand Dollars for Each Year of Sentence is Used in Determining the Bonds to Be Required

SEVENTY THOUSAND FOR RYAN'S RELEASE

Judges Baker and Seaman Hear Arguments and Intimate That Undue Haste May Have Been Used in Committing Prisoners

[ASSOCIATED PRESS DISPATCH]
CHICAGO, Jan. 3.—Bail in the sum of one million, one hundred thousand dollars for 22 of the 33 union leaders convicted at Indianapolis must be forthcoming in order that they may take advantage of the granting today of a writ of supersedeas by the United States circuit court of appeals here. Whether this amount can be obtained it is admitted by counsel for the defendants will be a question of grave doubt but they expressed the belief that at least some of it can be obtained—enough to accomplish the liberty of President Ryan and a few others until a decision is reached by the reviewing court.

Sixty days is allowed for the filing of an appeal. Hocking designated as an "informant" did not appear. Judges Baker and Seaman heard the arguments and the decision was orally given by Judge Baker. He took occasion to intimate that there was undue haste manifested in committing the defendants to prison. The writ was issued largely on a point raised by the defense, that the defendants were convicted of a continuing offense—a conspiracy to commit offenses continuously.

The fixing of the amount of bail by the court was influenced by the fact that the offenses involved are not extraditable. Judge Anderson, who presided at the trial, was authorized to pass on the suitability of the bonds offered. A basis of ten thousand dollars for each of the sentenced was used in fixing the amount. As Ryan was sentenced to seven years his bond was fixed at seventy thousand dollars, and the same ratio was preserved throughout for the others.

Judge Baker said in commenting on the errors alleged by the defense against the trial court:

"In this case a writ of error as an absolute right for a writ of supersedeas is not an absolute right. It has been the practice in federal criminal prosecution, however, to allow writs of supersedeas so as to release the prisoners under bail until the case is finally decided by a review. While the judgment of the trial court is presumably correct, yet there is a possibility of substantial error—an error so great that the conviction may not be sustained. For that reason the defendants should not be subjected to the ignominy of incarceration while their cases are being reviewed, and writs of supersedeas should issue when shown they are asked for in good faith and not on frivolous grounds or to merely delay the progress of justice.

"The chief error assigned in this case is that the defendants were tried on the theory of continuing a conspiracy. As far as we have been able to learn there is no decision which definitely considers this point. The question is to be determined by reasoning and analogy to precedent. The question as to whether the defendants should be tried for conspiracy in connection with one offense has not been definitely adjudicated and there is possible grounds for a difference of opinion. In such circumstances it is the ordinary and customary practice to admit the defendants to bail."

CLARK IS FAVORED

Senate Committee Approves Reappointment to Interstate Commerce Commission.

[ASSOCIATED PRESS DISPATCH]
WASHINGTON, Jan. 3.—A favorable report on Taft's reappointment of Edgar E. Clark of Iowa to another term on the interstate commerce commission, was ordered today by the senate committee before which the nomination has been pending. The return of Senator Kenyon of Iowa will be awaited before the nomination is called up in the senate. Favorable action by the senate is not assured, however, until the general democratic plan on Taft appointments is formulated.

BLOWS MAN TO DEATH

[ASSOCIATED PRESS DISPATCH]
COLORADO SPRINGS, Jan. 3.—Blown from the top of a freight car from a high trestle by a windstorm today, John Dyck, an employee of an ore mill, fell fifty feet and was instantly killed.

RECOMMENDING ELECTROCUTION

SALT LAKE CITY, Jan. 3.—Death by electrocution instead of the alternative of shooting or hanging was recommended by the state board of corrections as the punishment for capital offenses in Utah. The recommendation was made in the biennial report presented to Governor Spry today.

Rockefeller Will Accept Service of Pujo's Summons

[ASSOCIATED PRESS DISPATCH]
NEW YORK, Jan. 3.—William Rockefeller agreed through his counsel, John A. Carver, to accept the service of a subpoena to appear on January 13 before the "money trust" committee of the house, according to an announcement tonight from the offices of Samuel Untermyer, counsel for the committee.

Untermyer in behalf of the committee accepted the offer by the direction of chairman Pujo. No intimation of the whereabouts of Rockefeller was contained in the statement.

TO REORGANIZE NATION'S ARMY

Major General Leonard Wood Makes Striking Recommendations Including That of the Restoration of the Army Canteen

[ASSOCIATED PRESS DISPATCH]
WASHINGTON, Jan. 3.—The restoration of the army canteen and the enactment of legislation eliminating from the army of unfit officers were among the principal recommendations Major General Leonard Wood, chief of staff, in his annual report made public today. Gen. Wood recommends the concentration of the army on strategic lines and in areas where it can be maintained more economically. He would transfer all the personnel of the staff corps, excepting the engineers, medical officers and chaplains to the line, increasing the number of general officers and line officers of different grades. The transfer of the personnel of the staff corps to the line, General Wood is of the opinion, will terminate the constant struggle between the line and staff which has been an old as the army and one which promises to continue. There would be no difference in promotion, nor would the members of the present staff corps lose any present advantages.

Discussing the means of elimination of unfit officers, the chief of staff says: "The full efficiency of an organization of men can not be secured without a system by which the merits of the individuals have some effect upon their advancement."

"The army long has suffered from the lack of such a system," the general continues. "Up to the grade of colonel promotion is by seniority in each branch and there is no way under the law by which an officer, no matter of what merit, can be advanced a single number except by making him a general officer. Conservative opposition must be looked for in the army where jealous fear effects favoritism, but this would disappear under the influence of a law which places selections where they belong in the hands of the service itself, by lodging it with boards of officers, so chosen as not to be effected personally by their decisions and sworn to act in accordance with the best interests of the service."

"The great majority of officers of the army," General Wood says in discussing the canteen question, "are of the opinion that the reestablishment of the canteen under proper supervision will improve the health, discipline and efficiency of the service by diminishing intemperance and immorality. I concur in this opinion."

General Wood, in his report presents to congress, a detailed plan for the reorganization of the field artillery in connection with the general army reorganization. The general plan provided as first increment to station in the field, an army must be two regiments of infantry, six battalions of field artillery, one field company of signal troops, five field hospitals and five ambulance companies. By this standard at present there would be a vast shortage of field artillery not only for the army but for the militia. Moreover, there is no provision for the effective service of ammunition for many guns in a single day's fight and use all the ammunition that can now be carried for them.

Therefore General Wood adds, if we do not have additional artillery our armies are destined to ultimate defeat. He also calls attention to the fact that many states refuse to include a proper proportion of field artillery as cavalry in their militia because of the expense and suggests that hereafter congress appropriate money which can only be used by the states for the organization of these armies.

DYNAMITE EXPLOSION KILLS

[ASSOCIATED PRESS DISPATCH]
CAPETOWN, Jan. 3.—Seven men were killed and several fatally injured in an explosion today at the De Beers diamond works in the town of Somerset.

CASTRO ASKS FEDERAL COURT TO RELEASE HIM

Writ of Habeas Corpus is Granted on Petition Declaring Former Venezuela President is Illegally Detained on Ellis Island

HAD ENGAGED HIS PASSAGE

When Attorney Visits Him is Made to Agree Not to Suggest Anything Which Might Make Him Ask Law's Aid

[ASSOCIATED PRESS DISPATCH]
NEW YORK, Jan. 3.—The federal courts were invoked today in behalf of Cipriano Castro, and a writ of habeas corpus was granted to bring him before a judicial tribunal which may determine the cause of his detention in this port. It is alleged in the application that the former president of Venezuela is being illegally held at the immigration station on Ellis Island here, where he has been detained since the arrival of a French liner last Tuesday and the court will be asked to sustain the writ, and thus set him at liberty. The writ is returnable on January 10, before Federal Judge Holt who granted it today.

Castro, immediately upon finding his right to land being questioned, had decided to return voluntarily to Europe and had engaged passage on the Steamer America, sailing tomorrow for Hamburg. Today, however, as soon as he learned that the writ had been granted he cancelled his passage.

The starting of legal proceedings to determine the status of Castro was a surprise, for the former Venezuelan executive had apparently given up without especial regret his declared intention of paying this country a slight seeing visit and had declared his desire to return to Europe as quickly as a steamer could carry him. The proceedings, it was stated tonight, at the offices of George Gordon Battle, who applied for the writ, grew out of a visit paid to Ellis Island yesterday by Harold A. Constant, connected with Battle's law firm. He reported to Battle what he had learned. Constant stated that after talking with Castro he believed the Venezuelan was being held in violation of the immigration laws and that "improper questions" were being put to him in an effort to make him commit himself and thus give specific cause for detaining him, if that proved necessary. He then determined to apply for the writ "in the interests of public citizenship" and to endeavor to secure Castro's release. As soon as the writ was procured, messengers hurried to Ellis Island and served Byron H. Phil, assistant immigration commissioner with a copy of the document. The granting of the writ does not, the attorney understands, give Castro the right to leave Ellis Island and he is expected to remain under detention there unless other means are decided upon to release him pending the final disposition of the case.

The petition asking for a hearing for Castro asserted that the attorney who went to see him yesterday was granted permission to interview him on the condition that he would not make suggestions to Castro by which the latter might make an effort to land in this country, and when the lawyer gained access to the Venezuelan he was accompanied by representatives of the immigration authorities who remained present throughout their talk. It declared that Castro had informed the attorney that he had desired and intended to visit this country for a period of about three months and still desired to make such a visit.

The petition also declared that because of the restrictions imposed upon communications with Castro it had been impossible to secure his signature to the petition. The concluding paragraph declared that Castro was being detained "without the authority of law and in violation of the rights, privileges and immunities under the constitution and laws of the United States, for the reason that he was not within any of the classes excluded by law from admission to this country."

On the date the writ is made returnable arguments will be heard and the writ either sustained or rejected. If rejected, the attorney intimated that in all probability the case will be appealed and carried if necessary to the United States supreme court.

BURIED UNDER DEBRIS

[ASSOCIATED PRESS DISPATCH]
JOPLIN, Jan. 3.—Three men were buried in a zinc mine three miles north of here by a fall of dirt following blasts. One hundred men are working in relays to reach them. It is impossible to life the men out of the danger zone because of a broken hoisting engine. They are buried under tons of debris.

RECOLLECTIONS OF CHRISTMAS VACATION

By John T. McCutcheon.

[Copyright, 1913, By John T. McCutcheon.]



TURKEY BALKS AND ANNOUNCES AN ULTIMATUM

While the Word is Not Used Ottoman Delegates Give Balkans to Understand She Has Now Made Her Final Proposal

[ASSOCIATED PRESS DISPATCH]
LONDON, Jan. 3.—Although the word "ultimatum" is not pronounced, what virtually is an ultimatum was presented to Turkey in behalf of the Balkan allies at today's sitting of the peace conference. Lazer Myuskovitch, head of the Montenegrin delegation, who presided after the Turkish delegate, presented a proposal which was considered unacceptable. Rehad Pasha, chief delegate of the Ottoman empire, said Turkey must find a way by Monday to renounce to the Balkan allies her rights over the island of Crete, cede the islands in the Aegean sea and consent to the rectification of the frontier of European Turkey which include Adrianople in the territory of the allies, or the allies would consider further negotiations for peace as useless.

Immediately after the minutes of the last sitting had been approved, M. Myuskovitch asked Rehad Pasha to present to the delegates the proposed new Turkish proposals. Rehad, who has been working hard over a cipher telegram until a few minutes before the session was called to order, seemed rather depressed. On rising he said the imperial government desiring further to emphasize the conciliatory spirit that animated it, had authorized the Turkish military and technical experts attached to the Ottoman delegation to mark a map of the proposed new frontiers between Turkey and the allies, which he would present later.

Meanwhile he read what he called the "last possible terms that Turkey can offer." These follow: First—That Crete, enjoying the simple sovereignty of the Sultan, but in reality under the protection of Great Britain, Russia, France and Italy, constitutes a question which can be dealt with only by the powers under whose responsibility the administration of the island is conducted, especially regarding finance, police and justice. Second—Turkey must keep the islands. She cannot renounce those near the Dardanelles because they are indispensable to the security of the channel of Constantinople, or the Bosphorus as it is better known, nor those further south because they form an integral part of Anatolia. Third—The rectification of the Thracian frontier must begin south from Segot (called Port Lagos) in

PROGRESSIVE CALL ISSUED

ST. PAUL, Jan. 3.—A call was issued today for a progressive conference of representatives of Michigan, Wisconsin, North Dakota, South Dakota and Minnesota at St. Paul, January 24. The call was signed by the state chairmen and national committee-men from each state named. The object of the conference is to decide on desired state and national legislation.

Body of Reid is Brought Home by British Cruiser

[ASSOCIATED PRESS DISPATCH]
NEW YORK, Jan. 3.—Great Britain delivered today to his countrymen the body of Whitelaw Reid, editor and statesman, who died in London. The British cruiser Italia brought the body home where it lies tonight under the stars and stripes in the Cathedral of St. John, the Divine. President Taft and dignitaries of the army, navy and representatives of the foreign powers will attend the funeral tomorrow.

The Natal was met off Nantuxet by two United States battleships and four destroyers. The funeral fleet lay off Sandy Hook last night and it was 11 o'clock this morning before the procession was underway. A gale swept up the river and made the landing of the casket a difficult task.

raft to Attend Funeral
WASHINGTON, Jan. 4.—(Saturday)—President Taft, accompanied by Secretary Knox, left here at 12:30 o'clock this morning for New York to attend the funeral there today of Whitelaw Reid, late American ambassador to Great Britain. The president will address the International Peace forum this afternoon and attend the republican dinner tonight. He will return to Washington on Sunday afternoon.

WOMAN FEIGNS FAINT AIDING AUTO BANDITS

Bold Chicago Highwaymen Smash Window, Seize Jewels, Shoot and Stab Policeman and Escape in Stolen Car

[ASSOCIATED PRESS DISPATCH]
CHICAGO, Jan. 3.—Four automobile bandits smashed a jeweler's window here today and escaped with a tray of diamonds after a running revolver fight with the police. Their escape was aided by a fashionably dressed woman who fainted in the arms of a uniformed policeman as he was drawing his revolver. As soon as the thieves were out of sight, the woman recovered and disappeared.

A few minutes later the bandits' car was stopped by a policeman who ordered them to drive with him to the police station to answer a charge of speeding. When they reached a quiet street, the robbers shot, stabbed and slugged the policeman and threw him off the car. Then they abandoned the automobile, which had been stolen from before a downtown office building just before the robbery, and disappeared in a crowded section of the west side.

Passers by in front of a Clark street jewelry store were startled by a crash of glass and saw two men beating the show window with bricks. The robbers seized a tray of rings and leaped to the running board of an automobile which was moving slowly by the curb.

FESTIVAL PLANS CONTEMPLATE TWO PARADES

All Arizona Parade on First Day When Every Visiting Federal, State and County Official Will Ride in Decorated Automobiles

STATE BANQUET ON FIRST NIGHT

Historical Pageant Second Day With Striking Illustrations of Wonderful Development and Progress of Valley

An all Arizona official parade for the first day, and a pageant parade for the second day that will embody representations of all of the ages through what is now Arizona has passed in coming from the dawn of time to the present high state of development, are but two of the features of the two day spring festival which will be held in this city in honor of the admission of Arizona to statehood. If the plans of the committee on arrangements as outlined last night are carried through to a successful completion.

There will be in addition to this an official banquet at the Adams Hotel on the first night, a big celebration at the City Hall Plaza on the first afternoon, at the completion of the parade, when addresses will be delivered by Vice President-elect Thos. Marshall, Governor Hunt of Arizona and probably Governor Hadley of Missouri, massed bands will play the national anthem and a massed human flag of school children will sing "The Star Spangled Banner," in which the assembled throngs will join in. These simple and effective exercises will be added to by the singing of Arizona by the school children.

The nights are to be as full of fun as the afternoons. The carnival idea will prevail, bands will play at the prominent corners, pictures illustrative of the valleys progress and opportunities will be thrown upon screens provided for the occasion, moving pictures will add a bit of gaiety to the hoisting features of the other pictures. There will be roses and flowers, happiness and mirth, and a general good time for all the people of the state who take a part in the celebration or who visit the capitol city with a view of seeing the big all state celebration.

The committee meeting last evening was one of the most important as well as the most enthusiastic that has yet been held in connection with the festival. There was a full attendance and every chairman of the sub committees had a report of progress to make. The decoration committee will see to it that the streets are better decorated than ever before, the transportation committee has already started to procure automobiles enough so that all the state officials and visiting county officials will have autos to ride in for the first parade, the entertainment committee has started to arrange for features for the celebration both day and night, the banquet committee has begun its work, the advertising committee is busy, and the parade committee is getting in touch with those features which it is desired to make prominent in both the parades. The music committee is arranging for the big school children chorus, and the bands which are to be featured.

It is planned to get the bands from Globe, the Copper Queen band, the United States Army band from Fort Huachuca, the Indian School band and the Prescott band all in. These bands will play a massed concert during the festival.

On the Saturday night the carnival feature will be placed foremost with the exception that the outdoor dance on the pavement, something that only Phoenix can feature. There will be red fire torches and all those accompaniments that make for a combined festival and carnival, and a general good time is promised to all who come to the city.

Roses are to be the chief feature of the decorations at the banquet and Dr. Dennett who is an expert in finding ways to make charming appealing and striking decorations with roses will have charge of the feature of the work.

The pageant is expected to begin with the Aztec or the earliest known residents of the state and come on down through the ages until the wind up will be a giant section in the form of a fat stock parade showing the difference between what was raised here in the cactus age and what can be done now. The whole thing promises to be a striking feature of the celebration.

HEAVY COAST STORM

NEW YORK, Jan. 3.—The most destructive storm of the season swept the Atlantic coast today, causing much property loss and great damage to shipping. A man was blown from a scaffold in Brooklyn and killed. Eleven were injured in the collapse of a building in Philadelphia. The storm spent its fury in Pennsylvania, Delaware and New Jersey.